

U.S. Patent Application Serial No. **09/889,577**
Amendment dated October 17, 2003
Attorney Docket No. 010610

REMARKS

Claim 1-11 are pending in the application.

Claim 1 has been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **July 18, 2003**.

With regard to the new matter issue, it should be noted that the preliminary amendment merely amends claim 1 to more fully recite features of the present invention. No new matter has been added. As shown in Figures 1-4 of the present application, there is indeed disclosed a cooler for an electronic device which cools a heating element A provided on the electronic device by circulating a cooling liquid, which comprises: a motor substrate 33; a liquid cooling mechanism B, composed of: a heat sink 1 formed in a flat shape to have a heat-receiving face 1a at a surface thereof intended to be in contact with said heating element A, and having a liquid channel 4 formed therein, a pump portion 3 having an impeller 16 rotatably provided in a housing 9 formed in a flat shape to circulate said cooling liquid, metal pipes 20-21 for circulating said cooling liquid therethrough; a forcible air cooling mechanism C, composed of: a radiating fin 37 provided on the outer surface of said metal pipes 20-21 and a fan 25 to cool said radiating fin 37 and said housing 9, said pump portion 3 of the liquid cooling mechanism B and said fan 25 of the forcible air cooling mechanism C being provided on the substrate D in a vertically aligned positional relationship such that said liquid cooling mechanism B and said forcible air cooling mechanism C are unified.

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As can be readily seen, substrate D is clearly shown in Figures 2, 3 and 6 along with cross-hatching designations. Should the Office continue to believe new matter has been added. Specific identification as to which element was not originally filed along with this application is respectfully requested.

Oath/Declaration

As it is shown that the newly added claimed subject matter is wholly disclosed in the originally filed application, therefore, a new declaration does not appear to be necessary. However, should the Office continue to feel that a new declaration is necessary, the Applicant welcomes further guidance from the Office as to why it is deemed necessary.

Drawings

The drawings are objected to under 37 CFR 1.83(a).

As can be readily seen, substrate D is clearly shown in Figures 2, 3 and 6 along with cross-hatching designations. As all claimed feature is already shown in the drawings. No proposed drawing correction is needed. Reconsideration and withdrawal of this objection are respectfully requested.

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Specification

The abstract of the disclosure is objected to because: it is too long, it is written in run-on fashion, it contains idiomatic informalities, and it includes reference character "B" which is not shown within parenthesis like the other reference characters appearing in the abstract.

The abstract is amended, as needed, to overcome this objection. Reconsideration and withdrawal of this objection are respectfully requested.

The disclosure is objected to because of the following informalities: the body of the specification refers to claim 1 [page 4, line 22].

The specification has been amended, as needed, to overcome this objection. Reconsideration and withdrawal of this objection are respectfully requested.

Claim Rejections under 35 USC §112

Claims 1 through 11 are rejected under 35 USC §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As have been addressed hereinabove, the Office alleged new matter is indeed disclosed and depicted in the originally filed application. Therefore, no new matter exists. Reconsideration and withdrawal of this rejection are respectfully requested.

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Claims 1 through 11 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Relevant claims have been amended, as needed, to overcome this rejection. Reconsideration and withdrawal of this rejection are respectfully requested.

Allowable Subject Matter

The indication of allowable subject if certain conditions are met is noted with appreciation.

Prior Art Indicated To Be Pertinent To The Disclosure

The Office has provided a list of prior art indicated to be pertinent to the Applicant's invention. Consistent with the understanding as stipulated in MPEP 706.02 that only the best prior art should be applied, this list of prior art not having been applied by the Office, it is the Applicant's understanding that the Office must have considered the listed prior art to be no more pertinent than the applied prior art of record.

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Conclusion

In view of the aforementioned amendments and accompanying remarks, all pending claims are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

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